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Letter dated 20 December 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from Singapore, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you would arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

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Annex

[Original: English]

Letter dated 20 December 2001 from the Permanent Representative of Singapore to the United Nations addressed to the Chairman of the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

I have the honour to forward the report of the Republic of Singapore pursuant to paragraph 6 of Security Council resolution 1373 (2001) to the Counter-Terrorism Committee as well as the annexes referred to in the said report (see enclosure).

I would be grateful if the text of the present letter and the enclosed report (without annexes) could be circulated as a document of the Security Council. The annexes have been included only for the Committee's records. Soft copies of all the attached documents will be forwarded to the Secretary of the Committee by e-mail.

(*Signed*) Kishore **Mahbubani**
Ambassador Extraordinary and Plenipotentiary

Enclosure

Report to the Counter-Terrorism Committee on Singapore's implementation of United Nations Security Council resolution 1373 (2001)

1 Singapore is committed to rendering our full cooperation to the United Nations, its member-states and especially the Counter-Terrorism Committee established by the Security Council pursuant to Resolution 1373 (2001). In order to fulfil our international obligations, we have taken a wide range of steps, which are detailed below.

2 Singapore believes that there must be coherent and co-ordinated international action against terrorism. The United Nations must continue to play a central role in this effort. ***Singapore has signed the International Convention for the Suppression of the Financing of Terrorism on 18 December 2001 with a view to ratification in the near future.*** We also support the expeditious conclusion of negotiations on the Comprehensive Convention against Terrorism that will serve to further strengthen the international legal framework against terrorism.

Singapore's Inter-Ministerial Task Force on Anti-Terrorism

3 Shortly after the terrorist attacks on the United States on 11 September 2001, Singapore established an Inter-Ministerial Task Force on Anti-Terrorism under the auspices of the Attorney General and Minister for Foreign Affairs and Law. The Task Force comprises senior officials from: the Attorney-General's Chambers, Ministry of Foreign Affairs, Ministry of Law, Ministry of Home Affairs (which has jurisdiction over immigration and law enforcement matters), Ministry of Defense, Ministry of Transport, Ministry of Trade and Industry, as well as the Monetary Authority of Singapore (the principal regulator for financial matters) and the Commercial Affairs Department of the Singapore Police Force (which is the principal enforcement agency for financial matters). The Task Force is responsible for:

3.1 Reviewing our existing laws and undertaking the necessary follow-up measures including legislative and administrative initiatives to ensure Singapore's full compliance with our international obligations. They include consideration of the requirements of relevant UNGA and UNSC resolutions, the special recommendations of the Financial Action Task Force[1] and our commitments to multi-lateral and regional bodies including the Commonwealth, Asia Pacific Economic Cooperation (APEC) and Association of Southeast Asian Nations (ASEAN) on anti-terrorism.

[1] As a member of the Financial Action Task Force on Money Laundering (FATF), we fully supported the expansion of the FATF's mandate to cover terrorism. We participated in the FATF extraordinary plenary meeting on the financing of terrorism held in Washington D.C. on 29 and 30 October 2001, which adopted 8 Special Recommendations to combat the financing of terrorism.

3.2 Enhancing our national capacity to deal with the effective implementation of national measures to combat international terrorism. These include better coordination among local agencies and expeditious exchange of information related to their respective areas of responsibility.

4 These executive actions reflect Singapore's principled position that we will prevail against terrorism only through closer and deeper co-ordination between our law enforcement agencies, both at the national level as well as at the multilateral level. We support better practical cooperation and co-ordination among law enforcement, customs and intelligence agencies of all countries.

Legislative Action

5 Singapore has adopted the necessary enabling legislation in order to implement UN Security Council Resolution 1373 (2001):

5.1 The Singapore Parliament enacted the United Nations Act, which entered into force on 29 October 2001. Under section 2(1) of the United Nations Act 2001, the Minister for Law may from time to time issue regulations that will enable us to give effect to measures mandated by the UN Security Council. (A copy of the UN Act is at Annex A).

5.2 To specifically give effect to UN Security Council Resolution 1373 (2001), Singapore also issued the United Nations (Anti-Terrorism Measures) Regulations 2001 on 13 November 2001. (A copy of the Regulations is at Annex B.)

6 We are confident that Singapore's laws are able to satisfy the requirements of UN Security Council Resolution 1373 (2001). At the same time, the UN Act (2001) gives flexibility for Singapore to respond expeditiously and effectively to any future UNSC resolutions on this and other matters.

Questions

Sub-paragraph 1 (a) What measures, if any, have been taken to prevent and suppress the financing of terrorist acts in addition to those listed in your responses to Questions on 1 (b) to (d).

Sub-paragraph 1 (a) reads "All states shall: Prevent and suppress the financing of terrorist acts;"

7 Prior to 11 September 2001, Singapore already had in place a rigorous system of checks - benchmarked against international best practices - designed to detect and counter the use of the financial system by criminals. The Monetary Authority of Singapore (MAS) is the regulator of Singapore banks and other major financial institutions and the Commercial Affairs Department (CAD), Singapore Police Force, is the main enforcement agency. These Singapore agencies have, since 11 September 2001, undertaken the following measures:

7.1 MAS has instructed the banks and other financial institutions under its supervision to be more vigilant against the misuse of banking and financial systems by terrorists. To supplement its instructions, MAS has intensified its on-site focused inspections since 11 September 2001. The purpose of these inspections are to verify that financial institutions continue to strictly adhere to anti-money laundering procedures and have rigorous procedures to identify customers that are suspected of financing terrorist activities. (The details are at paragraph 15.) These inspections will continue to be undertaken as part of Singapore's larger efforts to preserve the integrity of our financial system.

7.2 Even before 11 September 2001, CAD has taken prompt action and implemented the same rigorous review method for every Suspicious Transaction Report (STR) that it receives from banks, financial institutions and the MAS. Since the 11 September 2001 attacks, CAD has been even more vigilant in reviewing STRs for possible financial accounts linked to terrorists. To maintain these high levels of monitoring, the CAD has increased the staffing in CAD's Suspicious Transactions Reporting Office (STRO), which is the central agency in Singapore to receive and review STRs.

8 As of the date of this report, we have not detected any terrorist accounts in our financial systems. We will continue our strict monitoring of financial flows to protect the integrity of our financial system. Singapore has also taken the following measures to further strengthen the integrity of our financial system against abuse by terrorists and other criminal elements:

8.1 Singapore is fully committed to meeting the deadlines to implement the FATF's Special Recommendations to combat terrorism. We will be submitting to FATF a Self-Assessment Report on our implementation of the Special Recommendations before 31 December 2001, and we are confident of fully implementing the Special Recommendations by June 2002.

8.2 Singapore has applied to join the Egmont Group of Financial Intelligence Units.[2] The Egmont Group serves as a platform for exchanges of financial information amongst member countries. Singapore views joining the Egmont Group as mutually beneficial and is prepared to enter into arrangements with our counterparts for such exchanges of information.

Sub-paragraph 1 (b) What are the offences and penalties in your country with respect to the activities listed in this sub-paragraph?

Sub-paragraph 1(b) reads: "All States shall: Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the

[2] The Egmont Group is an informal organisation providing a forum for Financial Intelligence Units (specialised Government agencies dealing with the problem of money laundering) to improve support to their respective national money laundering programmes.

intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;"

9 Regulation 5 of the United Nations (Anti-Terrorism Measures) Regulations 2001 provides that no person in Singapore and no citizen of Singapore outside Singapore shall — (a) provide funds to any person by any means, directly or indirectly; or (b) collect funds for any person by any means, directly or indirectly, if he knows or has reasonable grounds to believe that the funds will be used to commit any terrorist act or facilitate the commission of any terrorist act.

10 Regulation 9 provides that no person in Singapore and no citizen of Singapore outside Singapore shall knowingly do anything that causes, assists or promotes, or is intended to cause, assist or promote, any act or thing prohibited by regulation 5 (and regulations 6, 7 and 8).

11 Regulation 4(1) defines the term "funds" as including (but not confined to) cheques, bank deposits and other financial resources.

12 The term "terrorist act" has also been given a comprehensive definition (see regulation 4(1)) so as to ensure that all terrorist acts will indeed fall within the ambit of the Regulations.

13 The term "person" in the Regulations includes any company or association or body of persons, corporate or unincorporate (as provided in section 2 of the Interpretation Act).

Sub-paragraph 1 (c) What legislation and procedures exist for freezing accounts and assets at banks and financial institutions? It would be helpful if States supplied examples of any relevant action taken.

Sub-paragraph 1(c) reads: "Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;"

14 Section 27A of the MAS Act empowers the Authority to issue directions to a financial institution or a class of financial institutions in order to discharge or facilitate the discharge of any obligation binding on Singapore by virtue of a decision of the UN Security Council. (See Annex C for copy of Section 27A). The Authority is thus empowered to issue circulars to financial institutions under its purview to freeze funds from entities and parties that have been subject to UN Security Council sanctions. The directions of the Authority, made under section 27A, have the force of law notwithstanding any other law or contractual obligations applying to the financial institutions. Pursuant to section 27A of the MAS Act, the Authority has issued Circulars to implement the financial sanctions imposed by UN Security Council Resolutions. They include the following circulars:

14.1 MAS Circular FSG 5/2001 - A circular issued to facilitate the discharge of Singapore's obligations under UN Security Council Resolution 1267 (1999). The circular requires all Banks and Financial Institutions under the Authority's purview to freeze any Taliban assets and or funds.

14.2 MAS Circular FSG 6/2001 - A circular issued to facilitate the discharge of Singapore's obligations under UN Security Council Resolution 1333 (2000). The circular requires all Banks and Financial Institutions under the Authority's purview to freeze any assets or funds of Usama Bin Laden or persons associated with Usama Bin Laden as listed in UN Security Council Resolution 1333 (2000).

14.3 MAS Circulars FSG 47/2001, FSG 57/2001 and FSG 62/2001 to give effect to updates in the list of individuals on whom sanctions have been imposed under UN Security Council Resolution 1333 (2000).

14.4 MAS Circular FSG 48/2001, to give effect to UN Security Council Resolution 1373 (2001). This circular (enclosed in Annex D) makes, among other things, the following provisions, which are binding on financial institutions -

(a) No designated asset which is in the possession, custody or control of a financial institution, whether directly or indirectly shall be transferred, withdrawn, disposed of or otherwise dealt with, except with the prior approval of the Authority and in accordance with such further conditions as may be imposed by the Authority.

(b) A financial institution shall not in any way, directly or indirectly, extend credit facilities to any designated person, permit drawdowns on existing credit facilities granted to any designated person, or extend other financial or financial related services to any designated person except with the prior approval of the Authority and in accordance with such further conditions as may be imposed by the Authority.

(c) A financial institution shall not carry into effect or complete any transaction, whether contractual or otherwise with any designated person, except with the prior approval of the Authority and in accordance with such further conditions as may be imposed by the Authority.

(d) If a financial institution has possession of, custody or control over any designated asset, the institution shall as soon as possible notify the Authority of that fact and provide the Authority with all relevant particulars of the designated asset and the circumstances under which the institution came to be in possession, custody or control of the designated asset.

The Circular deliberately defines the terms "designated asset" and "designated person" very widely so as to effectively implement UN Security Council Resolution 1373 (2001).

15 The Authority requires all its regulated financial institutions to institute rigorous anti-money laundering procedures. The Authority conducts on-site checks to ensure that financial

institutions have adequate control systems, processes and procedures to combat money-laundering and for the reporting of suspicious transactions. Since the 11 September 2001 attacks, the Authority has intensified its supervisory efforts by conducting focused inspections to verify the financial institutions' compliance with anti-money laundering guidelines and directives relating to transactions with terrorists identified by the UN Security Council and the freezing of terrorists' funds. Between 11 September 2001 and 6 December 2001, the number of institutions inspected were as follows:

Banks and Merchant Banks	56
Finance Companies	3
Remittance Agents/Money Changers	25
Securities and Futures Intermediaries	33
Insurance Companies	12
Total	**129**

Sub-paragraph 1 (d) What measures exist to prohibit the activities listed in this sub-paragraph?

Sub-paragraph 1 (d) reads: "All States shall: Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;"

16 Under regulation 7 (1) of the United Nations (Anti-Terrorism Measures) Regulations 2001, no person in Singapore and no citizen of Singapore outside Singapore shall, (a) make available any funds or other financial assets or economic resources; or (b) make available any financial or other related services, for the benefit of any prohibited person. [A prohibited person means any terrorist, any entity owned or controlled by a terrorist; or any person or entity acting on behalf or at the direction of any person referred to in regulation 7 (2) (a) or (b)]. A "terrorist" has been defined as any person who commits, attempts to commit, participates in or facilitates the commission of any terrorist act (regulation 4(1)).

17 It must also be noted that regulation 6 provides that no person in Singapore and no citizen of Singapore outside Singapore shall —

(a) deal, directly or indirectly, in any property that is owned or controlled by or on behalf of any terrorist or any entity owned or controlled by any terrorist, including funds derived or generated from property owned or controlled, directly or indirectly, by any terrorist or any entity owned or controlled by any terrorist;

(b) enter into or facilitate, directly or indirectly, any financial transaction related to a dealing in property referred to in paragraph (a); or

(c) provide any financial services or any other related services in respect of any property referred to in paragraph (a), to or for the benefit of, or on the direction or order of, any terrorist or any entity owned or controlled by any terrorist.

18 MAS Circular FSG 48/2001, issued under section 27A of the MAS Act to implement UN Security Council Resolution 1373 (2001), also provides as follows:

(a) A financial institution shall not make available or cause to be made available, directly or indirectly, for the benefit of any designated person, any funds, other financial assets or economic resources except with the prior approval of the Authority and in accordance with such further conditions as may be imposed by the Authority, and

(b) A financial institution shall not in any way, directly or indirectly, extend credit facilities to any designated person, permit drawdowns on existing credit facilities granted to any designated person, or extend other financial or financial related services to any designated person except with the prior approval of the Authority and in accordance with such further conditions as may be imposed by the Authority.

Sub-paragraph 2 (a) - What legislation or other measures are in place to give effect to this sub-paragraph? In particular, what offences in your country prohibit (i) recruitment to terrorist groups and (ii) the supply of weapons to terrorists? What other measures help prevent such activities?

Sub-paragraph 2 (a) reads: "All States shall: Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;"

19 Section 5 of the Internal Security Act provides that if the members or adherents of any association of persons, whether incorporated or not, are organised or trained or equipped either for the purpose of enabling them to be employed for the use or display of physical force in promoting any political or other object, or in such a manner as to arouse reasonable apprehension that they are organised or trained or equipped for that purpose, then any member or adherent of such association shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $2,000 or to imprisonment for a term not exceeding one year or to both; and any person who promotes or conspires with another to promote, or who takes part in the control or management of, the association, or in so organising or training as aforesaid any member or adherent thereof, shall be guilty of an offence under this Part and shall be liable on conviction to a fine not exceeding $10,000 or to imprisonment for a term not exceeding 5 years or to both. The High Court may order any property held by such an association to be forfeited to the Government.

20 As stated in preceding sections of this Report, the United Nations (Anti-Terrorism Measures) Regulations 2001, makes it an offence to support terrorist groups through provision or collection of funds, dealing in property of terrorists and also provision of resources and services for the benefit of terrorists.

21 Singapore has very strict laws regulating the trafficking in arms. These laws will be strictly enforced to eliminate the supply of weapons to terrorists. Under the Arms and Explosives Act, the Minister for Home Affairs has the power to prohibit the export from Singapore of arms (e.g. firearms, air pistols), guns, explosives (e.g. gunpowder and dynamite) and any war material (section 4 of the Arms and Explosives Act). Section 6 of the Arms Offences Act provides that any person trafficking in arms shall be guilty of an offence and shall on conviction be punished with death or imprisonment for life and with caning with not less than 6 strokes. Any person proved to be in unlawful possession of more than 2 arms shall, until the contrary is proved, be presumed to be trafficking in arms. Section 2 of the Arms Offences Act provides that "trafficking in arms" means — (a) to import, manufacture or deal in arms in contravention of the provisions of the Arms and Explosives Act; or (b) to lend, give, sell, hire or offer for sale or hire any arm to a person who has no licence to possess such arm issued under the Arms and Explosives Act. The term "arms" covers firearms, air-guns, air-pistols, automatic guns and includes bombs and grenades.

Sub-paragraph 2(b) What other steps are being taken to prevent the commission of terrorist acts, and in particular, what early warning mechanisms exist to allow exchange of information with other states?

Sub-paragraph 2 (b) reads: "All States shall: Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;"

22 Singapore is prepared to share information through intelligence agencies as an early warning mechanism to prevent and deter the commission of terrorist acts.

Sub-paragraph 2(c) What legislation or procedures exist for denying safe haven to terrorists, such as laws for excluding or expelling the types of individuals referred to in this sub-paragraph? It would be helpful if States supplied examples of any relevant action taken.

Sub-paragraph 2(c) reads: "All States shall: Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;"

23 Singapore has in place several legal provisions that deny safe haven to terrorists. The Extradition Act provides for the extradition of fugitives for extraditable offences to Commonwealth countries, pursuant to the relevant Commonwealth schemes for rendition of fugitives, and to non-Commonwealth countries provided that there are extradition treaties with the countries concerned. Under section 5 of the Banishment Act, a banishment order can be made with respect to non- Singapore nationals if the banishment from Singapore would be conducive to the good of Singapore.

Sub-paragraph 2(d) What legislation or procedures exists to prevent terrorists action from your territory against other states or citizens? It would be helpful if States supplied examples of any relevant action taken.

Sub-paragraph 2 (d) reads: "All States shall: Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;"

24 The financing of terrorism in Singapore is prohibited by the United Nations (Anti-Terrorism Measures) Regulations 2001. Any person in Singapore who breaches the provisions of the Regulations is guilty of an offence The Government will not hesitate to prosecute any person in Singapore who violates the Regulations. Moreover, a person who, in Singapore, abets the commission of an offence outside Singapore is guilty of abetment of the offence. For example, a person in Singapore who instigates someone to commit an act of terrorism (e.g. murder) outside Singapore can be prosecuted in Singapore for abetment of murder.

Sub-paragraph 2 (e) - What steps have been taken to establish terrorist acts as serious criminal offences and to ensure that the punishment reflects the seriousness of such terrorist acts? Please supply examples of any convictions obtained and the sentence given.

Sub-paragraph 2 (e) reads: "All States shall: Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;"

25 The financing of terrorist acts is covered by the United Nations (Anti-Terrorism Measures) Regulations 2001 and is subject to the penalties in the UN Act, as detailed in preceding sections of this Report. The penalties provided for in the UN Act reflect the fact that the Government of Singapore regards these offences as serious ones.

26 There is, in the Penal Code, no offence per se of "committing a terrorist act". However, the planning, preparation or perpetration of terrorist acts would involve offences such as murder, causing hurt, hijacking, kidnapping etc, all of which are offences under Singapore law. (The abetment of such offences by aiding, instigation or conspiracy is also an offence under Singapore law.) Singapore law prescribes capital punishment for murder and kidnapping and severe penalties for serious offences (including caning for many violent offences). The Government of Singapore will not hesitate to invoke these statutory provisions to prosecute alleged terrorists as the Government regards the commission of terrorist acts as serious criminal offences.

Sub-paragraph 2(f) What procedures and mechanisms are in place to assist other states? Please provide any available details of how these have been used in practice.

Sub-paragraph 2(f) reads: "All States shall: Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;"

27 The Mutual Assistance in Criminal Matters Act (MACMA) was enacted in April 2000 to allow the Government of Singapore to provide mutual legal assistance to other countries, in relation to criminal investigations or criminal proceedings for offences covered by the Act. MACMA requires a bilateral mutual legal assistance treaty (MLAT) to be in force before assistance can be provided to a foreign country in certain areas e.g. production orders for bank records, arranging for a witness in Singapore to give evidence in a foreign country, the enforcement of foreign confiscation orders and requests for search/seizure. However, other forms of assistance e.g. the recording of evidence in Singapore for the purposes of criminal proceedings in a foreign country, the service of process in Singapore in connection with a criminal matter in a foreign country and the locating of persons in Singapore, may be done under MACMA without a MLAT being in force between Singapore and the foreign country.

28 In the case of co-operation, exchange of information can be done through existing intelligence channels. As a member of ASEAN, Singapore is also committed to co-operation amongst law enforcement agencies in the ASEAN countries through existing mechanisms, such as the ASEAN Ministerial Meeting on Transnational Crime, the ASEAN Senior Officials on Transnational Crime and the ASEAN Chiefs of National Police (ASEANAPOL).

Sub-paragraph 2(g) How do border controls in your country prevent the movement of terrorists? How do procedures for issuance of identity papers and travel documents support this? What measures exist to prevent their forgery etc?

Sub-paragraph 2 (g) reads: "All States shall: Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;"

29 Singapore has effective border controls to prevent the movement of terrorists or their supporters. Section 25 of the Immigration Act provides that every person arriving by air at any authorised airport shall appear before an immigration officer at such time and place as that officer may direct. Any person who refuses or neglects to appear before an immigration officer as required shall be guilty of an offence. Similarly, every person that arrives by train at any authorised train checkpoint in Singapore (section 25A) or by sea (section 24) or by land (section 26) shall appear before an immigration officer at such a time and place as that officer may direct. Anyone who contravenes these sections of the law will be guilty of an offence.

30 The Immigration Act also provides that any person who arrives in Singapore or who is about to leave Singapore shall truthfully answer all questions put to him by an immigration officer or police officer, tending, directly or indirectly, to establish his identity, nationality, or

occupation or bearing on any of the restrictions contained in the Immigration Act and disclose and produce to any such officer on demand all documents in his possession relating to those matters. Any person who refuses to answer any question, knowingly gives a false or misleading answer or knowingly produces a false or misleading document shall be guilty of an offence. Under the Immigration Act, it is an offence for a person to use or possess any forged, unlawfully altered or irregular entry or re-entry permit, pass or certificate or other travel document. It is also an offence under this Act to possess or to use any permit, pass or certificate or other travel document so issued on which any endorsement has been forged or unlawfully altered.

Sub-paragraph 3 (a) - What steps have been taken to intensify and accelerate the exchange of operational information in the areas indicated in this sub-paragraph?

Sub-paragraph 3 (a) reads: "Calls upon all States to: Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;"

31 Exchange of information can be done through intelligence channels. Singapore is prepared to increase the levels of exchange of information through intelligence agencies.

Sub-paragraph 3 (b) - What steps have been taken to exchange information and cooperate in the areas indicated in this sub-paragraph?

Sub-paragraph 3 (b) reads: "Calls upon all States to: Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;"

32 Our intelligence agencies have shared operational information with their foreign counterparts pertaining to the areas indicated in this sub-paragraph. Our intelligence agencies will continue to cooperate closely to exchange operational information with their foreign counterparts.

33 Singapore's Mutual Assistance in Criminal Matters Act (MACMA) allows mutual legal assistance to be provided to other countries, subject to the conditions set out in the Act. These conditions have been discussed in paragraph 27 of this Report.

Sub-paragraph 3 (c) - What steps have been taken to cooperate in the areas indicated in this sub-paragraph?

Sub-paragraph 3 (c) reads: "Calls upon all States to: Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;"

34 Singapore has, since 11 September 2001, stepped up bilateral cooperation with other neighbouring and interested parties, particularly in the area information exchange.

35 As a member of the Financial Action Task Force (FATF), Singapore together with other FATF members have recently agreed to implement a set of Special Recommendations adopted at the recent FATF Special Plenary in October 2001 to combat and suppress the financing of terrorists. (Please see Annex E for the FATF Special Recommendations). Singapore has taken the necessary steps to implement the relevant FATF Special Recommendations to combat terrorism, including signing ***the International Convention for the Suppression of the Financing of Terrorism on 18 December 2001 with a view to ratification in the near future.***

36 Singapore has recently sought membership in the Egmont Group of Financial Intelligence Units. Our membership in the Egmont Group of Financial Intelligence Units will provide a channel for us to exchange financial intelligence to detect money laundering of funds which may be intended for, inter alia, financing terrorism.

37 At the multi-lateral and regional level, Singapore has been cooperating closely with other states in taking collective action against terrorists. As a member of ASEAN, Singapore is committed to the 2001 ASEAN Declaration on Joint Action to Counter Terrorism delivered at the 7th ASEAN Summit in Brunei in November 2001 (the ASEAN Declaration on Joint Action to Counter Terrorism is attached at Annex F). ASEAN countries including Singapore have agreed to consider joint practical counter-terrorism measures. Towards this end, ASEAN has established a regional framework for fighting transnational crime and the 2nd ASEAN Ministerial Meeting on Transnational Crime held in June 1999 adopted an ASEAN Plan of Action that outlines a cohesive regional strategy to prevent, control and neutralise transnational crime (the ASEAN Plan of Action to Combat Transnational Crime is attached at Annex G). Singapore is also supportive of the convening of the Special ASEAN Ministers Meeting on Transnational Crime which will focus on terrorism. The Ministerial Meeting is scheduled to be held in Malaysia in April 2002. ASEAN countries have also agreed to facilitate the flow of information on transnational crime including terrorism, their movement and funding and other information needed to protect lives, property and security on all modes of travel.

38 Singapore is also a member of Asia-Pacific Economic Cooperation (APEC), whose leaders have also pledged close cooperation in counter-terrorism measures, among other things, to enhance airport and port security, tighten financial regulations and develop an integrated customs communications network in the Asia-Pacific.

Sub-paragraph 3 (d) - What are your governments' intentions regarding the signing and/or ratifying the conventions, protocols and resolutions referred to in this sub-paragraph.

Sub-paragraph 3 (d) reads: "Calls upon all States to: Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;"

39 Singapore is a party to the following Conventions on terrorism:

- Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft.
- Hague Convention for the Suppression of Unlawful Seizure of Aircraft.
- Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation.
- Montreal Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation.

40 **Singapore signed the International Convention for the Suppression of the Financing of Terrorism on 18 December 2001 with a view to ratification in the near future.**

41 Singapore is currently in the midst of preparing and enacting legislation which would allow us to accede to the following two conventions:

- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation.
- Convention on the Marking of Plastic Explosives for the Purpose of Identification.

42 Singapore is also reviewing the other relevant international conventions and protocols relating to terrorism.

Sub-paragraph 3 (e) - Provide any relevant information on the implementation of the conventions.

Sub-paragraph 3 (e) reads: "Calls upon all States to: Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);"

43 In order to comply fully with the four Conventions on terrorism listed above in paragraph 39, which we are a party to, the following legislation has been put in place:

- The Tokyo Convention Act.
- The Hijacking of Aircraft and Protection of Aircraft and International Airports Act.

Sub-paragraph 3 (f) What legislation, procedures and mechanisms are in place for ensuring asylum seekers have not been involved in terrorist activity before granting refugee status. Please supply examples of any relevant cases.

Sub-paragraph 3 (f) reads: "Calls upon all States to: Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum seeker has not planned, facilitated or participated in the commission of terrorist acts;"

44 Singapore is one of the smallest and most densely populated countries in the world. Due to severe land constraints and the density of the population, Singapore is not in a position to receive or house refugees. As a policy, Singapore does not generally accept persons who claim to be refugees. Any terrorist posing as an asylum seeker will therefore not be able to seek refuge in Singapore. In addition, anyone that enters Singapore illegally will be regarded as an illegal immigrant and dealt with accordingly under our laws.

Sub-paragraph 3 (g) - What procedures are in place to prevent the abuse of refugee status by terrorists? Please provide details of legislation and/or administrative procedures which prevent claims of political motivation being recognised as grounds for refusing requests for the extradition of alleged terrorists. Please supply examples of any relevant cases.

Sub-paragraph 3 (g) reads: "Calls upon all States to: Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;"

45 The abuse of refugee status is not a problem for Singapore because of our policy of generally not allowing refugees to enter Singapore (for reasons detailed in paragraph 44 of this Report).

46 The Extradition Act provides that a person is not liable to be surrendered to a foreign State or a Commonwealth country if the offence to which the requisition for his surrender relates is, or is by reason of the circumstances in which it is alleged to have been committed or was committed, an offence of a political character (sections 7 and 21 of the Act). This is a statutory provision which is commonly found in the extradition legislation of many countries.

47 The Government of Singapore does not regard acts of terrorism as offences of a "political character" and will not hesitate to invoke the Extradition Act to extradite an alleged terrorist, for offences that fall under the Extradition Act, to foreign States with which Singapore has extradition treaties or to Commonwealth countries, pursuant to the relevant Commonwealth schemes in relation to the extradition of fugitives. There has been no case where a court in Singapore has held that an offence committed for purposes of terrorism is an offence of a "political character".

List of Annexes to Report

1. United Nations Act 2001 – **Annex A**
2. United Nations (Anti-Terrorism Measures) Regulations 2001 – **Annex B**
3. Section 27A, Monetary Authority of Singapore Act – **Annex C**
4. MAS Circular FSG 48/2001 – **Annex D**
5. FATF Special Recommendations on Terrorist Financing – **Annex E**
6. 2001 ASEAN Declaration on Joint Action to Counter Terrorism - **Annex F**
7. ASEAN Plan of Action to Combat Transnational Crime – **Annex G**